

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Andrew F. Silverman et al.

Group Art Unit: 3624

Serial No.: 09/680,771

Examiner: J Patel

Filed: October 6, 2000

For: ORDER CENTRIC TRACKING SYSTEM AND PROTOCOL FOR  
COMMUNICATIONS WITH HANDHELD TRADING UNITS

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

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**OCT 12 2005**  
**OFFICE OF PETITIONS**

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The references cited in the accompanying PTO-1449 form(s) have dates ("reference dates") that may be non-public release dates. Non-public release dates may include dates of creation, dates of revision, dates of pre-lease revisions, dates of revisions released to those subject to non-disclosure agreements, dates of communication that are internal to an organization, and/or the like. These non-public release dates may merely adorn the cited references, which, in actuality, may have been released to the public at subsequent and indeterminate dates. As such, the reference dates are not admitted to be actual publication dates. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. \_\_\_\_\_ filed \_\_\_\_.

4. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
  - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
  - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
  - ☐ 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
  - ☐ Charge the fee to Deposit Account No.03-1240, Order No. \_\_\_\_\_.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
  - b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☒ This Information Disclosure Statement is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
  - b. ☒ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application

upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

- c. ☐ The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ This document is accompanied by ☐ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application
11. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No.03-1240, Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 03-1240, Order No.17209-009.

Respectfully submitted,  
CHADBOURNE & PARKE, L.L.P.

Dated: October 12, 2005

By: \_\_\_\_\_

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<b>FORM PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION</b>		Attorney Docket: 17209-009		Serial No.: 09/680,771	
		Applicant: Silverman et al.			
		Filing Date: October 6, 2000		Group Art Unit: 3624	

  

U.S. PATENT DOCUMENTS							
Examiner Initial		Patent Number	Issue Date	Name	Class	Sub-Class	Filing Date
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		4412287	Oct, 1983	Braddcok, III.			
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		4980826	Dec, 1990	Wagner.			
		5038284	Aug, 1991	Kramer.			

  

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Examiner Initial		Patent Number	Publication Date	Country	Class	Sub-Class	Translation
		0 448 800	Dec, 1990	EP			<input type="checkbox"/> Yes <input type="checkbox"/> No
		95/26005	Sep, 1995	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No
		96/41293	Dec, 1996	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No
		0851 701	Jan., 1998	EP			<input type="checkbox"/> Yes <input type="checkbox"/> No
		0820183	Mar, 1994	EP			<input type="checkbox"/> Yes <input type="checkbox"/> No

  

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	Abdelrahim, Yasser, et al., "The Securities Industry: A Comparison of the Technologies Used in Open Outcry vs. Electronic Trading", Sep. 24, 1998 < <a href="http://misdb.bpa.arizona.edu/about.mis6...rts/Industry/Security/">http://misdb.bpa.arizona.edu/about.mis6...rts/Industry/Security/</a> >
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Examiner	Date Considered
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EXAMINER:	Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.
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<b>U.S. PATENT DOCUMENTS</b>							
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		5101353	Mar, 1992	Lupien et al.			
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		5530438	Jun, 1996	Bickham et al.			
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		Broida, Rick, "Motorola Envoy 150", Home Office Computing, Dec. 1996, p. 123 < <a href="http://www.productreviewnet.com/abstracts/4/4085.htm">http://www.productreviewnet.com/abstracts/4/4085.htm</a> >.					
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							<input type="checkbox"/> Yes <input type="checkbox"/> No
							<input type="checkbox"/> Yes <input type="checkbox"/> No
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		5793301	Aug, 1998	Carroll et al.			
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		5797002	Aug, 1998	Patterson, Jr. et al.			
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		5809483	Sep, 1998	DuMont et al.			
<b>FOREIGN PATENT DOCUMENTS</b>							
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							<input type="checkbox"/> Yes <input type="checkbox"/> No
							<input type="checkbox"/> Yes <input type="checkbox"/> No
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		5842178	Nov, 1998	Giovannoli.			
		5864827	Jan, 1999	Wilson.			
		5880726	Mar, 1999	Yokoyama et al.			
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<b>FOREIGN PATENT DOCUMENTS</b>							
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							<input type="checkbox"/> Yes <input type="checkbox"/> No
							<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>OTHER DOCUMENTS (Including Author, Title, Date, etc.)</b>							
		Lu, Cary, "The PDA Comeback?", Macworld, Jul. 1996, p. 102 < <a href="http://www.productreviewnet.com/abstracts/4/4215.htm">http://www.productreviewnet.com/abstracts/4/4215.htm</a> >.					
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		5297032	Mar., 1994	Trojan et al.			
		5717989	Feb., 1998	Tozzoli et al.			
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		6029146	Feb., 2000	Hawkins et al.			
		6058379	May., 2000	Odom et al.			
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							<input type="checkbox"/> Yes <input type="checkbox"/> No
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<b>OTHER DOCUMENTS (Including Author, Title, Date, etc.)</b>							
		Picot, Arnold, Bortenlaenger, Christine, and Roehrl, Heiner, "The Automation of Capital Markets", JCMC, vol. 1, No. 3 (as of Oct. 25, 1999) < <a href="http://www.ascusc.org/jcmc/vol1/issue3/picot.html">http://www.ascusc.org/jcmc/vol1/issue3/picot.html</a> >.					
		Riordan, Teresa, "Patents; an Appeals Court Says a Mathematical Formula Can be Patented, if it is a Moneymaker", N.Y. Times, Aug. 3, 1998, at D2.					
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		6105005	Aug., 2000	Fuhrer			
		5797002	Aug, 1998	Patterson Jr. et al.			
		5297031	Mar, 1994	Guterman et al.			
		5918216	Jun, 1999	Miksovsky et al.			
		5918218	Jun, 1999	Harris et al.			
		5774877	Jun, 1998	Patterson Jr. et al.			
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		Stein, Jon, "The Lennox System; Evaluation", Futures: The Magazine of Commodities & Options, vol. 20, No. 3, Feb. 1991, p. 64.					
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		Walter, Mark, "Electronic Delivery: Matching Technology to Requirements", Seybold Report on Desktop Publishing, vol. 7, No. 4, Dec. 1, 1992, pp. 3-25.					
		Wells, Rob, "Stock Exchanges Fine Tune Business to Retain and Attract Companies", Associated Press, Aug. 1, 1993, at Business News.					
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<b>OTHER DOCUMENTS (Including Author, Title, Date, etc.)</b>							
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		Applicant: Silverman et al.			
		Filing Date: October 6, 2000		Group Art Unit: 3624	

  

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